

January 23, 2001

The Salisbury Planning Board held its regular meeting on Tuesday, January 23, 2001, in the City Council Chambers of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Ken Mowery, Sean Reid, Mark Lewis, Leigh Ann Loeblein, Elaine Stiller, Mark Perry, Jeff Sowers, Jeff Smith, Fred Dula

ABSENT: John Daniels, Andy Storey, DeeDee Wright

STAFF: Harold Poole, Patrick Kennerly, Hubert Furr, Dan Mikkelson, Janice Hartis

The meeting was called to order by Chairman Lewis.

SMART GROWTH

Senior Planner Harold Poole presented a PowerPoint program developed by the North Carolina Chapter of the American Planning Association dealing with Smart Growth. Points covered included the benefits and impacts of growth, examples of Smart Growth in North Carolina, comments and ideas.

COMMITTEE REPORTS

(A) Billboards Committee – Sean Reid reported for the committee. The committee discussed several options and seemed to agree with the approach of 87 other North Carolina cities that have banned billboards. The committee is recommending the elimination of all future billboards which will require the following: (1) zoning map amendments to eliminate overlay district “B” along part of Interstate 85 and overlay district “C” along parts of U. S. 29 and Jake Alexander Boulevard; (2) zoning text amendment to eliminate subsections (2) and (3) of Section 9.12, Off Premise(s) Signs. Mark Lewis indicated the committee discussed two issues—new billboards and existing billboards. The committee feels that all future billboards should be banned. The second thought is to identify each and every billboard within the jurisdiction, make sure they have a permit, that they are in compliance, and find ways to eliminate them if possible. The two ways to eliminate are amortization of the ones that are nonconforming and compensation to owners in order to remove the billboards. The committee will continue to meet to consider what to do about existing billboards and how to address those billboards that may be on the federal-aid primary system which require compensation if removed.

The committee’s recommendation to ban future billboards, requiring zoning map and text amendments, comes to the Board as a motion to approve. The motion was seconded by Mark Perry. Chairman Lewis pointed out it would probably be appropriate for the Board to hold a Courtesy Hearing concerning the elimination of the sign overlay districts. It was the consensus of the Board that a hearing should be held. Leigh Ann Loeblein moved to lay the motion on the table and to set this as a agenda item for the second meeting in February (February 27) for a courtesy hearing. The motion was seconded by Ken Mowery with all members voting AYE.

The Board also directed Chairman Lewis to appear before City Council and ask for a six-month moratorium on new billboard permits while the Planning Board is continuing its study for a final recommendation.

Jeff Smith requested that the pylon sign requirements around interchanges be reviewed – in particular the requirements which permitted the Chick-Fil-A sign on East Innes Street near the interstate. Chairman Lewis requested the Legislative Committee to review this item.

(B) M-1 Study – Sean Reid gave the committee report. The committee defined an area of study bounded by South Main Street, railroad tracks, Towne Creek and Klumac Road. Staff provided information on existing uses in the area—how much was used for housing and commercial uses. Most of the property is being used as residential, but zoned for M-1. The committee feels that the best way to protect and strengthen this neighborhood would be to change the zoning to R-6 to best match the existing land use patterns of single and two-family development. There are several vacant lots which have the potential of changing the future character of the neighborhood. The committee also discussed the existing MH overlay district that is located east of Klumac Road which covers less than 20 acres. Only one manufactured home is located within the boundaries of this MH district. The committee agreed this MH overlay was not suitable for this area and should be removed. The committee is recommending the following: (1) rezone properties in the study area from M-1 to R-6; (2) rezone the South Main Street Apartments property from M-1 to R-6A; and (3) remove the MH overlay that is within the study area. The area proposed for rezoning is defined on a map included with the committee report dated January 5, 2001. The committee report comes in the form of a motion to rezone as recommended. The motion was seconded by Jeff Smith. Leigh Ann Loeblein moved to lay the motion on the table and to set this as an agenda item for next month's meeting for a courtesy hearing. The motion was seconded by Jeff Smith with all members voting AYE.

(C) Legislative/Sidewalk – Jeff Smith gave the committee report. The committee report is a culmination of two committee studies (Legislative Committee and Sidewalks Special Committee). The report, dated January 17, 2001, lists five recommendations from the Legislative Committee and 10 recommendations from the Sidewalks Committee. The Legislative Committee also recommended the adoption of vertical curb and gutter rather than valley curb. The Sidewalks Committee felt this issue should be addressed separately at a later date. The report comes with a motion to recommend approving the following Subdivision Ordinance text amendments to City Council for their consideration. The motion was seconded by Jeff Sowers with all members voting AYE.

Section 5.02 (Conventional Subdivisions – Design Standards)

1) *Change paragraph 4, Private Streets and Reserve Strips, to read as follows:*

"There shall be no private streets or reserve strips platted in any subdivision."

2) *Change paragraph 11, Blocks, to read as follows:*

"The maximum distance between intersections within new subdivisions shall be 800 feet. This block division could be created by four-way or three-way intersections, including street stubs connecting to adjoining properties."

3) *Insert a new paragraph 12, "Cul-de-sacs", to read as follows:*

"12. Cul-de-sacs:

- (a) The maximum length of cul-de-sac streets within new subdivisions shall be 600 feet, measured from the center of the nearest intersection to the center of the cul-de-sac.
- (b) The minimum radius of the right-of-way of a cul-de-sac shall be 50 feet. The minimum paved radius shall be 45 feet. Illustrations are shown in the Uniform Construction Standards of the City of Salisbury.
- (c) A planted median shall be required in the center of each cul-de-sac. The median shall have a radius of 25 feet.
- (d) Vertical curbing shall be required around the cul-de-sac (starting at the bulb-out) and around the planted median."

4) *Insert a new paragraph 13, "Sidewalks", to read as follows:*

"13. Sidewalks:

- (a) Sidewalks shall be required in all Conventional Subdivisions.
- (b) Sidewalks shall have a minimum width of 5 feet, and shall be installed on both sides of internal streets, including around cul-de-sacs. Sidewalks shall be installed along the frontage of any existing thoroughfare adjacent to the subdivision.
- (c) Sidewalks shall be placed at the edge of the right-of-way. A planting strip shall be installed between the roadway and the sidewalk, except around the bulb of cul-de-sacs where the sidewalk may abut the back of the curb.
- (d) New phases within or adjacent to existing developments not having sidewalks shall be subject to these sidewalk requirements.

5) *Renumber existing paragraphs from 12-16 to 14-18, respectively.*

Section 5.03 (Conventional Subdivisions, Installation of Improvements)

1) Rewrite paragraph 3, Installation of improvements within the city limits, subparagraph 1, Street improvements and storm drainage, to read as follows: (*new wording italicized*)

"a. Street *and sidewalk* improvements and storm drainage. Streets *and sidewalks* shall be constructed within all proposed street rights-of-way. All streets, *sidewalks*, and storm drainage shall be installed in accordance with approved engineering drawings and the adopted Uniform Construction Standards of the City of Salisbury. Street *and sidewalks* shall be extended within existing rights-of-way as needed to provide publicly maintained street frontage to all newly created lots; however, construction standards may be modified to coincide with an existing publicly maintained street stub, if applicable." {Note: this is the one time a street could be extended with no sidewalk}

2) Delete paragraph 3 b, Sidewalks

3) Renumber paragraph 3 c, Utilities, to 3 b.

- 4) Change wording of paragraph 4 b, Installation of Improvements beyond the city limits (Improvements required), to read as follows:
....“The right-of-way and design of streets and street drainage shall be in accordance with city standards and shall be reviewed by the district engineer of the division of highways.”
- 5) Add a sentence to paragraph 4 a, Installation of Improvements beyond the city limits (General Provisions), to read as follows:
“Sidewalk maintenance and repair shall be the responsibility of the homeowners association or adjacent property owners.”

Section 5.01 Preliminary Plat

Add a sentence to Paragraph 1 (Preliminary plat submittal), item k (new sentence in italics)

“k. The approval of the preliminary plat shall become null and void within two (2) years, unless the subdivider or his representative shall have completed required improvements (or posted the appropriate guarantee of improvements) and submitted for approval the final plat as required by this ordinance or shall have applied for and received an extension of time from the planning board. *The Planning Board may, at its discretion, require a preliminary plat to adhere to any new requirements before granting this extension.* If a preliminary plat becomes null and void, the subdivider may resubmit for an updated approval; however, the resubmitted preliminary plat may be subject to any new requirements for preliminary plats, and fees shall be paid at fifty (50) percent of current standard fees.”

Section 5.04.2 n (Forms for final certifications)

- 1) Insert the following as #2 (renumber 2-4 to 3-5)

“Certificate of Road Maintenance

I (We) hereby certify that I (we) will maintain the roads to the standards set forth by the City of Salisbury until the respective governmental agency takes over this responsibility. (This does not include removal of snow/ice.)

Date

Owner/Developer”

(D) Legislative Committee – Jeff Sowers gave a status report on landscaping requirements for RD-A and RD-B developments. Zoning Administrator Hubert Furr has indicated that our current ordinance has a conflict, in one place exempting all single and two-family residential uses from landscaping requirements, while later including RD-A and RD-B as “Level 2” districts requiring a type C1 planting yard next to other residential districts. Staff members have questioned the practice of requiring single-family uses in RD-A or RD-B to provide buffers next to adjacent single-family districts. The committee discussed requiring screening between RD districts and residential zoning districts, but not between RD districts and non-residential zoning districts.

(E) Off-Site Parking Requirements – Sean Reid gave the committee report. The committee considered whether parking space requirements should continue to be allowed on- and off-site (off-site with a lease), or if there should be a requirement for on-site parking only. The committee is recommending that there be no more off-site parking with leases. You must own

the property if you wish to have off-site parking. The motion comes from the committee to approve an amendment to Section 7.01, Off-Street Automobile Parking and Storage, to permit off-street parking on an abutting lot of the same ownership, or directly across any street or alleyway of the same ownership, and to remove the statement permitting off-site parking on any lot which is within five hundred feet of such use. The motion was seconded by Jeff Smith with all members voting AYE.

STAFF REPORT

Mr. Poole indicated that the proposed ordinance changes for the use campgrounds included in the agenda packet were more detailed than what the Board approved several meetings ago. One of the proposed changes is site plan review. These proposed changes need to be referred to committee. Chairman Lewis referred this matter to Committee 2 (Leigh Ann Loeblein, DeeDee Wright, Mark Lewis and Jeff Smith).

UPCOMING MEETINGS

Mr. Poole informed Board members of a luncheon meeting on Monday, February 12 at 12 Noon, for members of the City Council, Planning Board, and the Salisbury Vision 2020 Task Force to discuss the new 2020 Plan and implementation strategies.

He also mentioned the 2001 State Planning Conference which will be held at the Adam's Mark Hotel in Charlotte on May 17 and 18.

There being no further business to come before the Board, the meeting was adjourned.

Chairman

Secretary